

1033 Rec'd PCT/PTO 17 OCT 2009

FORM PTO-1390  
(REV 07-2005)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.  
59494.00025

DATE: October 17, 2005

U.S. APPLN. NO.  
(IF KNOWN, SEE 37 C.F.R. 1.5)

**10/553684**

INTERNATIONAL APPLICATION NO.  
PCT/JP2004/005499

INTERNATIONAL FILING DATE  
16 April 2004

PRIORITY DATE CLAIMED  
21 April 2003

TITLE OF INVENTION: CONTROL APPARATUS FOR AN INTERNAL COMBUSTION ENGINE

APPLICANT(S) FOR DO/EO/US: Fumio YATABEI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.  
(THE BASIC FILING FEE IS ATTACHED)
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 - 20 below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98, along with form PTO-1449 and 4 References.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☒ Application Data Sheet.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: CHECK NO. 13475; Formal Drawings (Figs. 1-3; 3 sheets); PCT/ISA/210; PCT/ISA/220; PCT/IPEA/409; PCT/IB/332; PCT/IPEA/402; PCT/IPEA/401; PCT/IB/308; PCT/IB/304; PCT/IB/301; PCT/ISA/237; PCT/RO/101

U.S. APPLN. NO. (IF KNOWN, ) SEE 37 C.F.R. 1.501 <b>10/553684</b>		INTERNATIONAL APPLICATION NO. PCT/JP2004/005499		ATTORNEY DOCKET NO. 59494.00025 DATE: October 17, 2005	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492(a))..... <b>\$300.00</b>				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) <ul style="list-style-type: none"> <li>• If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1) - (4) ..... <b>\$0.00</b></li> <li>• All other situations..... <b>\$200.00</b></li> </ul>				\$ 200.00	
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) <ul style="list-style-type: none"> <li>• If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... <b>\$0.00</b></li> <li>• Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the United States Patent &amp; Trademark Office as an International Search Authority..... <b>\$100.00</b></li> <li>• International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... <b>\$400.00</b></li> <li>• All other situations..... <b>\$500.00</b></li> </ul>				\$ 400.00	
<b>TOTAL OF 21, 22 and 23 =</b>				<b>\$ 900.00</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].					
Claims	Number Filed	Number Extra	Rate		
Total Claims	1 - 20 =	0	X \$ 50.00		
Independent Claims	1 - 3 =	0	X \$ 200.00		
Multiple dependent claim(s) (if applicable)			+ \$360.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250.00</b> for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		X \$250.00		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 900.00</b>	
Reduction by one-half for filing by small entity, if applicable. <b>Applicant claims small entity status. See 37 CFR 1.27.</b>					
<b>SUBTOTAL =</b>				<b>\$ 900.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. +					
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 900.00</b>	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +				<b>\$ 40.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 940.00</b>	
				Amount to be refunded	\$
				Charged	\$

U.S. APPL. NO. (IF KNOWN)  
SEE 37 C.F.R. 1.50

10/553684

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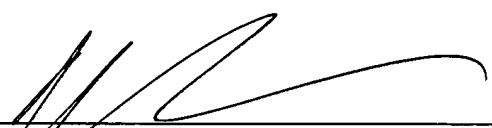
DATE: October 17, 2005

- a. ☒ A check in the amount of \$940.00 to cover the above fees is enclosed.
- b. ☐ Please charge Counsel's Deposit Account No. 50-2222 in the amount of \$\_\_\_\_\_ to cover the above fee.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Counsel's Deposit Account No. 50-2222.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive [37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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